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<div align="center">**REMARKS**</div>

This Application has been carefully reviewed in light of the Office Action mailed May 23, 2006 ("Office Action"). Claims 1-19 and 21 currently stand rejected.

Five-Year Application

Applicants respectfully remind the PTO that this Application has been pending for more than five years. Accordingly, in accordance with M.P.E.P. §707.02, Applicants request that this Application be considered "special". To this end, Applicants remind the PTO that the single reference, *Kim*, applied in the present Office Action has been applied in the four preceding Office Actions of June, 16, 2004; November 29, 2004; July 14, 2005; and December 29, 2005. The first two Office Actions (June, 16, 2004 and November 29, 2004) applied *Kim* in a §102 rejection. Applicants amended the claims to their present form and the PTO in the Office Actions of July 14, 2005 and December 29, 2005 acknowledged that *Kim* did not explicitly disclose the limitations of the present Independent Claims. In light of these previous acknowledgements, Applicants request that the PTO carefully reconsider this Application.

Section 102(e) Rejections

Claims 1-19 and 21 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Publication No. 2002/0069272 A1, issued to Kim, et al. ("*Kim*"). Applicants respectfully traverse these rejections.

At the outset, Applicants provide a reminder that in establishing a *prima facie* case of anticipation, "[t]he identical invention *must* be shown in as *complete detail* as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (Emphasis added). With this threshold requirement in mind, Applicants submit that the PTO has failed to establish a *prima facie* case of anticipation, using *Kim*.

Independent Claim 1 is allowable because *Kim* fails to disclose, expressly or inherently, "automatically determining that one or more network elements are to be included in the integrated communication server based on the result set." The Office Action alleges that *Kim* discloses this limitation at Paragraphs 0038-0040 and 0054, but this is incorrect for at least two

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reasons. First, the PTO has already acknowledged in two previous Office Actions that *Kim* does not explicitly disclose this limitation. Specifically, in a Non-Final Office Action of July 14, 2005 and a Final Office Action of December 29, 2005, the PTO indicated that "[*Kim*] fails to explicitly disclose step of 'automatically determining that one or more network elements are to be include in the communication server based on the result set', as claimed."

Second, these portions, in fact, do not disclose this limitation. Rather, Paragraphs 0038-0040 disclose the latter part of a method of modifying a server configuration. Specifically, Paragraphs 0038-0040 disclose (1) determining whether a user is allowed to modify a parameter, (2) modifying the parameter, (3) communicating the parameter to a server manager, (4) determining tables to update in a database with the modified parameter, (5) updating the tables with the modified parameter, (6) determining which server to synchronize with the updated tables, and (7) attempting to update the configuration of the servers with the modified parameter. The paragraphs preceding Paragraphs 0038-0040 describe an example parameter of increasing a website from 5 megabytes to 10 megabytes. Paragraph 0054 describe a situation in which a website is increased from 10 megabytes to 500 megabytes, requiring another physical server. Clearly, this process does not disclose automatically determining that one or more network elements are to be included in an *integrated communication server* based on a result set. Accordingly, because *Kim* does not provide a disclosure in as *complete detail* as is contained in Independent Claim 1, Applicants submit that Independent Claim 1 and its dependents should be allowed. Independent Claims 8, 15, and 21 should be allowed for analogous reasons.

Independent Claim 1 is additionally allowable because *Kim* fails to disclose, expressly or inherently, "automatically determining configuration parameters for the one or more network elements based on the result set." The Office Action alleges that *Kim* discloses this limitation at Paragraphs 0040-0041, but this is incorrect. Paragraph 0040 describes attempting to update the configuration of the servers with a modified parameter. Paragraph 0041 describes determining if the server can update itself with the modified parameter. Notably, Paragraphs 0040-0041 mention nothing of automatically determining configuration parameters for the one or more network elements based on the result set. Accordingly, for at least this additional reason,

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Applicants submit that Independent Claim 1 and its dependents should be allowed. Independent Claims 8, 15, and 21 should be allowed for analogous reasons.

Notwithstanding the above reasons for allowance, many of the dependent claims are also allowable because *Kim* fails to teach or suggest the additional limitation or limitations recited by the respective dependent claims. An example is described below.

Claim 6 is allowable because *Kim* fails to disclose, expressly or inherently "automatically downloading the network elements from the remote location." The Office Action alleges that *Kim* discloses these additional limitations at Paragraphs 0034, 0054, and 0055, but this is incorrect. Paragraphs 0034, 0054, and 0055 mention nothing of downloading network elements, let alone automatically downloading the network elements from a remote location. For at least this additional reason, Applicants submit that Claim 6 should be allowed as should Claims 13, 15, and 21, and their dependents.

Request for Evidentiary Support

In establishing rejections, if the Examiner is relying upon "common knowledge" or "well known" principles to establish the rejection, Applicants request that a reference be provided in support of this position pursuant to M.P.E.P. § 2144.03. Furthermore, to the extent that the Examiner maintains any rejection based on an "Official Notice" or other information within the Examiner's personal knowledge, Applicants respectfully request that the Examiner cite a reference as documentary evidence in support of this position or provide an affidavit in accordance with M.P.E.P. § 2144.03 and 37 C.F.R. 1.104(d)(2).

No Waiver

All of Applicants' arguments are without prejudice or disclaimer. Applicants reserve the right to discuss the distinctions between the applied art and the claims in a later Response or on Appeal, if appropriate. By not responding to additional statements made by the Examiner, Applicants do not acquiesce to the Examiner's additional statements. The example distinctions discussed by Applicant are sufficient to overcome the anticipation and obviousness rejections.

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CONCLUSIONS

For the foregoing reasons and for other apparent reasons, Applicants respectfully request allowance of all pending claims.

If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account **No. 19-2179**.

Date: __9/1/06__

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Respectfully requested,

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